

Senate Bill No. 547

Passed the Senate August 24, 2016

Secretary of the Senate

Passed the Assembly August 22, 2016

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Division 121 (commencing with Section 152000) to the Health and Safety Code, relating to aging.

LEGISLATIVE COUNSEL'S DIGEST

SB 547, Liu. Aging and long-term care services, supports, and program coordination.

Existing law establishes the California Health and Human Services Agency consisting of the Departments of Aging, Child Support Services, Community Services and Development, Developmental Services, Health Care Services, Managed Health Care, Public Health, Rehabilitation, Social Services, and State Hospitals, among other entities.

Existing law sets forth legislative findings and declarations regarding long-term care services, including that consumers of those services experience great differences in service levels, eligibility criteria, and service availability that often result in inappropriate and expensive care that is not responsive to individual needs. Those findings and declarations also state that the laws governing long-term care facilities have established an uncoordinated array of long-term care services that are funded and administered by a state structure that lacks necessary integration and focus.

This bill, among other things, would create the Statewide Aging and Long-Term Care Services Coordinating Council, chaired by the Secretary of California Health and Human Services, and would consist of the heads, or their designated representative, of specified departments and offices. The secretary would have specified responsibilities, including, but not limited to, leading the council in the development of a state aging and long-term care services strategic plan to address how the state will meet the needs of the aging population in the years 2020, 2025, and 2030. The bill would require the strategic plan to be submitted to the Secretary of the Senate, the Chief Clerk of the Assembly, and the chairs of specified policy and fiscal committees of the Legislature by July 1, 2018. The bill would authorize the Secretary of California Health and Human Services to accept grants or donations, real or in-kind, to

support the operation of the Statewide Aging and Long-Term Care Services Coordinating Council and the development of the state aging and long-term care services strategic plan.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The California Health and Human Services Agency consists of the following departments: the California Department of Aging, the Department of Community Services and Development, the State Department of Developmental Services, the State Department of Health Care Services, the Department of Managed Health Care, the State Department of Public Health, the Department of Rehabilitation, the State Department of Social Services, and the State Department of State Hospitals.

(b) The agency also includes the Emergency Medical Services Authority, the Office of Health Information Integrity, the Office of Patient Advocate, the Office of Statewide Health Planning and Development, the Office of Systems Integration, the Office of Law Enforcement Support, and the State Council on Developmental Disabilities.

(c) California baby boomers are turning 65 years of age at the highest rate in the nation, and over 20 percent of California's population will be 65 years of age or older by 2030.

(d) Among persons 65 years of age and older, an estimated 70 percent will use long-term services and supports (LTSS).

(e) Persons who are 85 years of age or older are the fastest growing segment of the United States population, and they are four times more likely to need LTSS than persons who are 65 years of age or older, but younger than 85 years of age.

(f) People are living longer, and the aging population is increasingly diverse.

(g) A report by the Senate Select Committee on Aging and Long Term Care on January 5, 2015, called, "A Shattered System: Reforming Long-Term Care in California. Envisioning and Implementing an IDEAL Long-Term Care System in California," found that the state's system of 112 aging and long-term care programs administered by 20 agencies and departments is almost impossible for consumers to navigate.

(h) Other deficiencies of the system include the lack of person-centered care, poor transitions from hospital to home or to other institutions, limited access to a range of services that enable aging in place, deficiency of services and supports in rural areas, limited cultural competency, skilled workforce shortages across a range of disciplines, the lack of uniform data, the lack of a universal assessment tool, and limited caregiver supports.

SEC. 2. Division 121 (commencing with Section 152000) is added to the Health and Safety Code, to read:

**DIVISION 121. AGING AND LONG-TERM CARE
SERVICES, SUPPORTS, AND PROGRAM COORDINATION**

152000. The Secretary of California Health and Human Services shall be responsible for all of the following:

- (a) Inter- and intra-agency coordination of state aging and long-term care services, supports, and programs.
- (b) Ensuring efficient and effective use of state funds.
- (c) Maximizing the drawdown, and the efficient and effective use of federal funds.

152001. There is hereby created a Statewide Aging and Long-Term Care Services Coordinating Council, chaired by the Secretary of California Health and Human Services, and consisting of the heads, or their designated representative, of all of the following:

- (a) The California Department of Aging.
- (b) The Department of Community Services and Development.
- (c) The Department of Consumer Affairs.
- (d) The Department of Food and Agriculture.
- (e) The Department of Human Resources.
- (f) The Department of Insurance.
- (g) The Department of Justice.
- (h) The Department of Motor Vehicles.
- (i) The Department of Rehabilitation.
- (j) The Department of Transportation.
- (k) The Department of Veterans Affairs.
- (l) The Emergency Medical Services Authority.
- (m) The Employment Development Department.
- (n) The Office of Health Information Integrity.
- (o) The Office of Law Enforcement Support.

- (p) The Office of Patient Advocate.
- (q) The Office of Statewide Health Planning and Development.
- (r) The Office of Systems Integration.
- (s) The State Department of Developmental Services.
- (t) The State Department of Health Care Services.
- (u) The State Department of Public Health.
- (v) The State Department of Social Services.

152002. (a) The secretary shall lead the council in the development of a state aging and long-term care services strategic plan to address how the state will meet the needs of the aging population in the years 2020, 2025, and 2030. The strategic plan shall incorporate clear benchmarks and timelines for achieving the goals set forth in the strategic plan and a cost and benefit analysis for each goal or recommendation included in the plan. In developing the strategic plan, the council shall consult with all of the following:

(1) Experts, researchers, practitioners, service providers, and facility operators in the field of aging and long-term care.

(2) Consumer advocates and stakeholders, including the Olmstead Advisory Committee, the California Commission on Aging, area agencies on aging, the State Council on Developmental Disabilities, the California Foundation for Independent Living Centers, and the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy.

(3) Rural and urban communities, in order to identify infrastructure capacity issues, the need for uniform access standards for home and community-based services, and mechanisms for supporting coordination of regional and local service access and delivery.

(4) The California Task Force on Family Caregiving, the findings and recommendations of which shall be incorporated into the strategic plan.

(b) Technical support for the development of the strategic plan shall be provided by the Office of Health Equity in the State Department of Public Health and by the California Department of Aging.

(c) The strategic plan shall address all of the following:

(1) Integration and coordination of services that support independent living, aging in place, social and civic engagement, and preventive care.

- (2) Long-term care financing.
 - (3) Managed care expansion and continuum of care.
 - (4) Advanced planning for end-of-life care.
 - (5) Elder justice.
 - (6) Care guidelines for Alzheimer's disease, dementia, Amyotrophic Lateral Sclerosis (ALS), and other debilitating diseases.
 - (7) Caregiver support.
 - (8) Data collection, consolidation, uniformity, analysis, and access.
 - (9) Affordable housing.
 - (10) Mobility.
 - (11) Workforce.
 - (12) The alignment of state programs with the federal Administration for Community Living.
 - (13) The potential for integration and coordination of aging and long-term care services with services and supports for people with disabilities.
- (d) In developing the strategic plan, the council shall examine model programs in various cities, counties, and states. The strategic plan shall consider how to scale up local, regional, and state-level best practices and innovations designed to overcome the challenges related to long-term care services delivery.
- (e) Notwithstanding Section 10231.5 of the Government Code, the strategic plan shall be submitted to the Secretary of the Senate and the Chief Clerk of the Assembly, to the appropriate chairs of the policy committees of the Legislature with jurisdiction over any aging and long-term care related issues, and to the chairs of the fiscal committees of the Legislature by July 1, 2018.
152003. The secretary may accept grants or donations, real or in-kind, to support the operation of the council and the development of the state aging and long-term care services strategic plan.

Approved _____, 2016

Governor